

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**CHRISTOPHER LOADHOLT,**

**Plaintiff,**

**-against-**

**ORTHOFEET, INC.,**

**Defendant.**

**22-cv-3977 (ALC)**

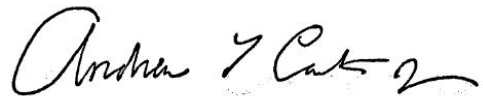
**ORDER**

**ANDREW L. CARTER, JR., United States District Judge:**

On July 18, 2023 and July 21, 2023, the Court directed Plaintiff to seek a certificate of default by July 25, 2023 if he intends to move for default judgment. To date, Plaintiff has neither sought a certificate of default nor otherwise indicated that he intends to move for default judgment. Accordingly, having considered the standards set forth under *Enron Oil Corp. v. Diakuhara*, 10 F.3d 90 (2d Cir. 1993), and given the “preference for resolving disputes on the merits”, there is “good cause” to set aside an entry of default as to Defendant OrthoFeet, Inc.

**So Ordered.**

**Dated: July 27, 2023  
New York, New York**



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**ANDREW L. CARTER, JR.  
United States District Judge**